

December 7, 2011

1704

Julius Genachowski  
Chairman  
Federal Communications Commission  
445 12th Street SW  
Washington, DC 20554

Dear Chairman Genachowski:

I write regarding a petition for rulemaking that asks the Federal Communications Commission (FCC) to reexamine and eliminate the Sports Blackout Rule. In order to facilitate a conversation on sports blackouts and sports programming, I urge the FCC to allow public comment on these issues.

Sports are an integral part of our country's history. Sporting events are among the most highly watched programming in America, allowing Americans to celebrate teamwork, perseverance, and triumph over adversity. Sports are also a large part of our economy, generating enormous revenues from sales of tickets, merchandise, and programming licenses.

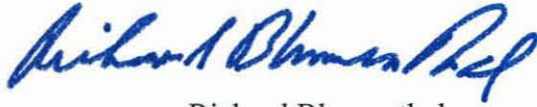
For all the positive benefits that sports provide, it is therefore unfortunate that some fans are unable to watch their teams compete. Blackouts are unfair to fans. Indeed, blackouts are highly anti-consumer, whether they are the result of a league policy or an agreement—or lack of agreement—between networks and content owners. This behavior is especially unacceptable because fans pay high prices to watch sports, whether in the form of ticket prices, premium sports programming, or taxpayer subsidies for new stadiums.

In the decades since Congress and the FCC issued rules on sports programming, we have seen numerous advances in the business and technology of sports programming. I believe that an opportunity for public discussion on these changes would serve sports leagues, programmers, and fans by identifying changes that could be made to ensure that the public interest is served by sports programming, including by reducing or eliminating blackouts and by promoting and preserving widespread access to sports programming on free or low-cost outlets.

I request that the FCC allow public comment from fans and other interested parties on these issues and to consider revising or eliminating the Sports Blackout Rule if the public comment suggests such actions are necessary.

Thank you for your attention to this issue. I look forward to your response.

Sincerely,

A handwritten signature in blue ink, appearing to read "Richard Blumenthal", with a stylized flourish at the end.

Richard Blumenthal  
United States Senate



FEDERAL COMMUNICATIONS COMMISSION

January 5, 2012

JULIUS GENACHOWSKI  
CHAIRMAN

The Honorable Richard Blumenthal  
United States Senate  
702 Hart Senate Office Building  
Washington, D.C. 20510

Dear Senator Blumenthal:

Thank you for your letter urging the Commission to reexamine the sports blackout rules. Your views are very important and, if the Commission opens a proceeding on this matter, I will ensure that your letter is included in the record of the proceeding and considered as part of the Commission's review.

As you are aware, the Commission received a Petition for Rulemaking on November 11, 2011, requesting elimination of the sports blackout rules. The Sports Fans Coalition, Inc., Public Knowledge, Media Access Project, National Consumer League, and the League of Fans assert in their petition that sports economics and the technological means of distributing games have rendered these rules obsolete. The Commission's Media Bureau is reviewing the petition and I look forward to receiving its recommendation.

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely,

A handwritten signature in dark ink, appearing to be "J. Genachowski", is written over the word "Sincerely," and extends across the line below it.

Julius Genachowski